

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

STEPHANIE GRAY and NATHAN GRAY,)	CAUSE NO. 1:20-cv-02480
)	
Plaintiffs,)	
)	
v.)	
)	
SPEEDWAY LLC,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Thomas L. Davis, counsel for defendant Speedway LLC, states:

1. On May 7, 2020, plaintiffs, Stephanie Gray and Nathan Gray, filed their Complaint for Damages against defendant Speedway LLC in the Howard County Circuit Court of Indiana, under Cause No. 34D04-2005-CT-000968.

2. Speedway LLC is a Delaware limited liability company with its principal place of business in Ohio with a sole member, MPC Investment LLC. MPC Investment LLC is a Delaware limited liability company with its principal place of business in Ohio with a sole member, Marathon Petroleum Corporation. Marathon Petroleum Corporation is a Delaware corporation with its principal place of business in Ohio.

3. Plaintiffs are citizens of the state of Indiana.

4. The matter in controversy exceeds \$75,000.00, exclusive of interests and costs; this action does not arise under the Workmen's Compensation laws of any state; is not brought against a common carrier or its receivers or trustees; does not arise under 45 U.S.C. §§ 51-60; and, therefore, this cause is removable to this Court under 28 U.S.C. § 1441(b).

5. This Notice of Removal is being filed with this Court within 30 days after receipt of paper, specifically plaintiffs' discovery responses, that this case is now applicable for removal to this Court under 28 U.S.C. § 1446(b)(3).

6. Copies of all process, pleadings, and orders served upon petitioners in the state court action are attached hereto. Promptly hereafter, written notice will be given to all adverse parties and to the Clerk of the Howard County Superior Court of Indiana, that this Petition for Removal is being filed with this Court.

WHEREFORE, defendant Speedway LLC prays that the entire state court action, under Cause No. 34D04-2005-CT-000968, now pending in the Howard County Superior Court of Indiana, be removed to this Court for all further proceedings.

FROST BROWN TODD LLC

By: /s/Thomas L. Davis

Thomas L. Davis, #4423-49

Attorneys for Defendant

CERTIFICATE OF SERVICE

Service of the foregoing was made by placing a copy of the same into the United States

Mail, first class postage prepaid, this 25th day of September, 2020, addressed to:

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/s/Thomas L. Davis

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